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9 CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS

10 IN THE UNITED STATES BANKRUPTCY COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SANTA ROSA DIVISION

13 In the Matter of

14 CHARLES DENIS DOWNIE and
15 LYDIA DOWNIE,

16 Debtors.

Case No. 10-11995
Chapter 13

CALIFORNIA DEPARTMENT OF VETERANS
AFFAIRS' WITHDRAWAL OF OPPOSITION
TO DEBTORS' MOTION TO AVOID LIEN
WITH CALIFORNIA DEPARTMENT OF
VETERANS AFFAIRS

Date: December 20, 2010
Time: 10:00 a.m.
Place: 99 E Street, Santa Rosa, CA
Judge: Honorable Alan Jaroslovsky

Petition Filed: May 26, 2010

21 On or about September 17, 2010, Debtors filed and served a motion for an order determining
22 the value of their home and for an order avoiding the California Department of Veterans Affairs'
23 (CDVA) home improvement lien. The CDVA initially opposed the motions on the ground that the
24 market value of the debtor's home was high enough to secure the CDVA's home improvement loan.
25 At the October 18, 2010 hearing, the Court continued the matters to December 20, 2010 for an
26 evidentiary hearing.

27 On November 3, 2010, the Subject Property (real property located at 10133 Fairway Drive,
28 Kelseyville, California 95451) appraised at \$120,000. See Declaration of Leslie Puppo filed

1 concurrently herewith. Inasmuch as the appraised value is not high enough to secure its Home
2 Improvement loan (Loan No. 970512), the CDVA hereby withdraws its opposition to Debtors' Motion
3 to avoid that lien with the CDVA.
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5 Dated: November 29, 2010 Respectfully submitted,

6 ROBERT D. WILSON
7 Deputy Secretary and Chief Counsel
8 CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS
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10 By /s/ Robert D. Wilson
11 ROBERT D. WILSON
12 Attorney for California Department of Veterans Affairs
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